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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/810,166

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Binh T. Nguyen

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8341

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12/22/2008

Weaver Austin Villeneuve & Sampson LLP - IGT

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EXAMINER

KIM, ANDREW

ART UNIT

PAPER NUMBER

3714

MAIL DATE

DELIVERY MODE

12/22/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/810,166	Applicant(s) NGUYEN ET AL.	
	Examiner ANDREW KIM	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/22/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This office action is in response to the amendment filed on 9/22/08 in which:

- Response to claims rejection have been filed.
- Claim(s) 1-38 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Quest et al (EP 0738991 A2) in view of Rowe (US 20020138594).

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Claims 1, 22-24, 33, 38. A gaming machine adapted for accepting wagers and granting monetary awards, comprising:

a master gaming controller adapted to control game play and authorize payouts and other awards on said gaming machine (col. 1:54-58, col. 1:1-6, Rowe, abstract);

one or more major components, wherein at least one of said one or more major components contains a plurality of peripheral devices and a first universal communication interface, is adapted to be removable from said gaming machine, and is interchangeable with other similar major components also so adapted (col. 2:29-43);
and

a universal gaming engine, said universal gaming engine having at least one dedicated processing unit, at least one associated storage device and a second universal communication interface, wherein said universal gaming engine is adapted to control a substantial portion of said plurality of peripheral devices on said removable and interchangeable major component (col. 3:12-31, col. 6:5-31).

Major component comprising one or more items dedicated toward a first game theme or second game them (col. 2-4)

Quest substantially discloses the invention as claimed such as claim 1 but fails to explicitly teach at least one computer server (master game controller) in communication with the gaming machines. Instead, Quest discloses a gaming machine with replaceable panels and game cards. In an analogous gaming reference, Rowe discloses a server in communication with a plurality of gaming machines (Rowe,

paragraphs 35-39). One of ordinary skill in the art would have seen the benefit of modifying Quest with a server in communication with a plurality of gaming machines for providing relationships between the game versions, game transaction information, site information and gaming terminal information and establish configurations for one or more gaming terminals. This allows the server to update and change the software on one or more gaming machines which enables fast, easy and cost-efficient method for changing the applications in the gaming machines. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to modify Quest with a server in communication with a plurality of gaming terminals for easy, fast and cheap changing of programs on gaming terminals.

The GTDR controls game play by controlling the gaming software that is played. It also authorizes payouts and other awards (Rowe, paragraph 37). By uploading new paytables, the new payouts are authorized by the master gaming controller.

Claim 2. Quest discloses wherein said removable and interchangeable major component is adapted to detach from both said gaming machine and said universal gaming engine (col. 5:41-47).

Claim 3. Quest discloses wherein said universal gaming engine is adapted to remain attached to said gaming machine despite any detachment of said removable and interchangeable major component (col. 6:5-31).

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Claim 4. Quest discloses wherein said removable and interchangeable major component and said universal gaming engine are adapted to detach from said gaming machine as a combined unit (col. 6:5-37). One can take apart the machine and take the two components out together.

Claim 5. Quest discloses wherein said removable and interchangeable major component is adapted to detach from said universal gaming engine (col. 6:33-37).

Claims 6, 34. Quest discloses wherein said removable and interchangeable major component comprises a top box (col. 6:5-32). The top box is simply a display panel with electrical display devices co-operable with the display panel (claim 1).

Claims 7, 35. Quest discloses wherein said universal gaming engine comprises a universal top box engine, said universal top box engine adapted to control a substantial portion of said plurality of peripheral devices on said top box (col. 6:5-32).

Claims 8, 36. Quest discloses wherein said removable and interchangeable major component comprises a main cabinet (col. 4:18-25).

Claim 9. Quest discloses wherein said universal gaming engine comprises a universal main cabinet engine, said universal main cabinet engine adapted to control a substantial portion of said plurality of peripheral devices on said main cabinet (col. 4:18-

25, col. 6:5-32).

Claim 10. Quest discloses wherein said universal gaming engine is adapted to control a substantial portion of a plurality of peripheral devices on a main cabinet and a substantial portion of a plurality of peripheral devices on a top box (col. 4:18-25, col. 6:5-32).

Claim 11. Quest discloses wherein said universal gaming engine contains a power supply adapted to provide power to said removable and interchangeable major component (col. 3:36).

Claim 12. Quest discloses wherein said universal gaming engine comprises a communications buffer between said master gaming controller and a substantial portion of said plurality of peripheral devices on said removable and interchangeable major component (col. 6:15).

Claim 13. Quest discloses wherein said dedicated processing unit comprises a central processing unit residing on said universal gaming engine (col. 6:6).

Claims 14-16. Quest substantially discloses the invention as claimed but fails to explicitly teach an operating system code such as Windows or Linux that is approved for use in a gaming machine. Instead, Quest discloses a program card that contains

program instructions for the game. It would have been obvious to one of ordinary skill in the art that this program card would contain instructions that operates on the operating system of the module and that the instruction code would be approved by a gaming commission and further that the operating system would be commonly used such as windows or linux because the aforementioned operating systems are common enough that finding programmers in those platforms are easier and cheaper than finding them in some obscure operating system and having the code approved by a gaming commission allows the program to be used on the casino floor which generates income. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to modify Quest with program code approved by a gaming jurisdiction and written for windows or linux platform to generate income and save money on production.

Claim 17. Quest discloses wherein said plurality of peripheral devices comprises one or more devices selected from the group consisting of a video display unit, a speaker, an audio amplifier, a light, a touch screen, an input button, a coin acceptor, a bill acceptor, a ticket acceptor, a coin hopper, a coin dispenser, a ticket printer, a card reader and a mechanical motor (fig. 1).

Claim 18. Quest discloses wherein said first universal communication interface mates with said second universal communication interface (col. 6:12-32).

Claim 19. Quest discloses wherein said second universal communication interface comprises a standardized layout of physical connections that is consistent across a plurality of other universal gaming engines (col. 6:12-32).

Claim 20. Quest discloses wherein said standardized layout of physical connections comprises a grid of ported connections (col. 6:12-32).

Claim 21. Quest discloses wherein said standardized layout of physical connections comprises a power connection adapted to provide power across a mating of universal communication interfaces (col. 6:12-32).

Claim 25. Quest discloses wherein said removable and interchangeable major component is adapted to detach from said first gaming machine, said universal gaming engine, or both (col. 5:41-47).

Claim 26. Quest discloses wherein said removable and interchangeable major component comprises a top box (col. 6:5-32). The top box is simply a display panel with electrical display devices co-operable with the display panel (claim 1).

Claim 27. Quest discloses wherein said universal gaming engine comprises a universal top box engine, said universal top box engine adapted to control a substantial portion of said plurality of peripheral devices on said top box (col. 6:5-32).

Claim 28. Quest discloses wherein said removable and interchangeable major component comprises a main cabinet (col. 4:18-25).

Claim 29. Quest discloses wherein said universal gaming engine comprises a universal main cabinet engine, said universal main cabinet engine adapted to control a substantial portion of said plurality of peripheral devices on said main cabinet (col. 4:18-25, col. 6:5-32).

Claim 30. Quest discloses wherein said universal gaming engine is adapted to control a substantial portion of a plurality of peripheral devices on a main cabinet and a substantial portion of a plurality of peripheral devices on a top box of said first gaming machine (col. 4:18-25, col. 6:5-32).

Claim 31. Quest as modified by Rowe substantially discloses the invention as claimed but fails to explicitly teach an operating system code such as Windows or Linux that is approved for use in a gaming machine. Instead, Quest discloses a program card that contains program instructions for the game. It would have been obvious to one of ordinary skill in the art that this program card would contain instructions that operates on the operating system of the module and that the instruction code would be approved by a gaming commission and further that the operating system would be commonly used such as windows or linux because the aforementioned operating systems are common

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enough that finding programmers in those platforms are easier and cheaper than finding them in some obscure operating system and having the code approved by a gaming commission allows the program to be used on the casino floor which generates income. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the instant invention to modify Quest with program code approved by a gaming jurisdiction and written for windows or linux platform to generate income and save money on production.

Claim 32. Quest discloses wherein said first universal communication interface mates with said second universal communication interface, and wherein said second universal communication interface comprises a standardized layout of physical connections that is consistent across a plurality of other universal gaming engines (col. 6:15).

Response to Arguments

Applicant's arguments filed 9/22/08 have been fully considered but they are not persuasive.

The GTDR controls game play by controlling the gaming software that is played. It also authorizes payouts and other awards (Rowe, paragraph 37). By uploading new paytables, the new payouts are authorized by the master gaming controller.

The GTDR may also be the master gaming controller and the server as the two entities are not distinct and separate.

Regarding claim 4, the CPU 23 and program card 24 is a combined unit (6:5-17 and claim 11).

Regarding claim 6, both the ordinary meaning and the specification must be taken into consideration when defining a claim term.

Regarding claim 8, the bottom plinth (item 2, fig. 1) may be considered the main cabinet or it may be items 6 or 1 of fig. 1.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANDREW KIM whose telephone number is (571)272-1691. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dmitry Suhol can be reached on 571-272-4430. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dmitry Suhol/
Supervisory Patent Examiner, Art
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12/22/2008
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TC3700